

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PMT NPL FINANCING 2015-1,

Plaintiff,

v.

THOMAS C. LEE, *et al.*,

Defendants.

CASE NO. C18-0358-JCC

ORDER

This matter comes before the Court after Defendant was granted leave to proceed *in forma pauperis* (Dkt. No. 3) and subsequently removed this case from King County Superior Court (Dkt. No 4). Upon reviewing the complaint, notice of removal, and the relevant record, the Court REMANDS the case for the reasons set forth herein.

This is the fourth time Defendant has removed this action to federal court. *See* Case No. C17-0535-RSM, Dkt. No. 1 (W.D. Wa. April 6, 2017); Case No. C17-1376-RSL, Dkt. No. 1 (W.D. Wa. September 13, 2017); Case No. C18-0212-JCC, Dkt. No. 1 (W.D. Wa. February 9, 2018). In all three prior cases, the Court found no basis for the exercise of federal jurisdiction and remanded the case. Case No. C17-1376-RSL, Dkt. No. 13 at 5; Case No. C17-0535-RSM, Dkt. No. 14; Case No. C18-0212-JCC, Dkt. No. 8. Defendant's latest notice of removal states identical bases for federal jurisdiction: his Fourteenth Amendment defense, 28 U.S.C. § 1443,

1 and diversity of citizenship.¹ (Dkt. No. 4 at 2–3, 4.) As this Court ruled in its previous order, and
2 as the Honorable Ricardo S. Martinez and the Honorable Robert S. Lasnik also held, Defendant
3 cannot create a federal question by asserting a federal defense, he does not qualify for removal
4 under § 1443, and he fails to establish the \$75,000 threshold for diversity jurisdiction. Case No.
5 C17-0535-RSM, Dkt. No. 14 at 2; Case No. C17-1376-RSL, Dkt. No. 13 at 2, 3; Case No. C18-
6 0212-JCC, Dkt. No. 8. This Court notes, as Judge Lasnik did, that no new case law supporting
7 Defendant’s bases for removal has arisen since his case was last removed and remanded. *See*
8 Case No. C17-1376-RSL, Dkt. No. 13 at 3.

9 For the foregoing reasons this matter is REMANDED to the King County Superior Court.
10 The Clerk of Court is DIRECTED to immediately transfer this case to state court, which shall
11 have immediate and full jurisdiction over this matter.

12 In addition, within 21 days from the date of this order, Defendant shall SHOW CAUSE
13 in writing why the Court should not impose a pre-filing review procedure, also known as a
14 standing bar order, on any future attempts to remove this lawsuit from state court.

15 The Clerk is DIRECTED to send a copy of this order to Defendant.

16 DATED this 22nd day of March 2018.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

25 ¹ The notice of removal filed in this case is identical to the notice of removal filed by
26 Defendant in the previous case before this Court. *See* Case No. C18-0212-JCC, Dkt. No. 1-1
(W.D. Wa. February 9, 2018).